

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DAVID CLEO RICHARD,
(TDCJ-CID #486735)

Petitioner,

VS.

WILLIAM STEPHENS,

Respondent.

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CIVIL ACTION NO. H-14-3283

MEMORANDUM ON DISMISSAL

In an order entered on April 10, 2015, this court instructed the petitioner to file a written statement showing why this court should not dismiss his petition as time-barred under 28 U.S.C. § 2244(d) by May 18, 2015. The petitioner sought an extension until July 31, 2015 within which to file his response. (Docket Entry No. 9). In the interest of judicial economy, this court must evaluate and address federal habeas petitions in a prompt and timely manner.

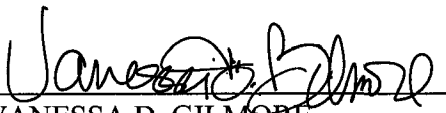
This court granted the petitioner's Motion for Extension of Time, (Docket Entry No. 9), and ordered him to file his response to this court's order entered on April 10, 2015 no later than June 25, 2015. (Docket Entry No. 11). This court warned the petitioner that failure to comply may result in the dismissal of this case as time-barred or for want of prosecution, without further notice.

The petitioner's failure to file a response to this court's order forces this court to conclude that he lacks due diligence. Under the inherent powers necessarily vested in a court to manage its own affairs, this court determines that dismissal for want of prosecution is appropriate. *See* FED. R. CIV. P. 41(b); *Link v. Wabash R.R.*, 370 U.S. 626 (1962); *Woodson v. Surgitek, Inc.*, 57 F.3d 1406, 1417 (5th Cir. 1995); 8 J. MOORE, FEDERAL PRACTICE § 41.51(3)(b) & (e) (3d ed. 2002). Upon a

proper showing, relief from this order may be granted in accordance with FED. R. CIV. P. 60(b). *See Link*, 370 U.S. at 635.

This action is DISMISSED without prejudice for want of prosecution.

SIGNED at Houston, Texas, on August 4, 2015.


VANESSA D. GILMORE
UNITED STATES DISTRICT JUDGE